

PLEAS PRESENTED IN MACHEN TRIAL

Argument Over Instructions of the Jury.

PROSECUTION'S 16 PRAYERS

Court and Counsel Indulge in Discussion Over Theory of Hypothetical Innocence.

Consideration of prayers for the prosecution was resumed this morning in the Postoffice trials. One of the sixteen prayers for the prosecution remained. Justice Fritchard first read to the attorneys his rough notes of the part of his charge to the jury regarding the statements made by Machen, Lorenz, and the Groffs to the inspectors. It was in effect that the jury should consider each statement only in regard to the guilt of the person making it, and it was accepted by both sides. The short statement of Justice Fritchard included the substance of one prayer for the prosecution and two for the defense.

A Reasonable Doubt.

In speaking of reasonable doubt, Justice Fritchard said:

"I will charge the jury that it should not conjure up imaginary doubts to avoid the performance of a disagreeable duty."

"If the jury can see any hypothesis or theory inconsistent with the guilt of the defendants, then they should bring in a verdict of not guilty."

An Imaginary Hypothesis.

Justice Fritchard said he would warn the jury that it must not be confused by an imaginary hypothesis. Mr. Conrad said any hypothesis of innocence must be consistent with the facts in the case.

Mr. Syme, who presented the prayers for the defense, secured the admission of one in which the jury will be told that Lorenz had the right to pay money to Machen, even though Machen knew the money came from the Groff fasteners, provided Machen's official actions were not influenced thereby and the jury believed that the payments from Lorenz to Machen were bona fide.

Objects to Plea.

Mr. Keigwin objected to the ninth prayer, in which the defense claimed that Machen had performed his public duties in an entirely satisfactory manner. Mr. Keigwin said it was a repetition of the presumption of innocence prayers.

Mr. Syme—Mr. Keigwin, in the language of the poet, can split a hair between south and southwest side, and he has, in regard to previous prayers, discussed the nebular hypothesis, the theory of heat, and the theory of light.

Justice Fritchard—I am afraid you gentlemen will confuse the court. I am glad to hear you, Mr. Syme, but don't wander into the realms of science. The eleventh prayer for the defense asked that the jury consider the charges of fraud only in relation to the excessive price for the fasteners, and that the number of fasteners ordered should not be considered. Justice Fritchard said he thought the number of fasteners was a circumstance throwing light on the case. The prayer was refused.

Asked to Acquit.

The thirteenth prayer asked the jury to acquit all the defendants if it were found that the Groffs did not offer the fastener for 75 cents, and that \$1.25 was not an excessive price. This prayer was promptly refused.

The fifteenth prayer of the defense instructed the jury that the oil dealings between Machen and Lorenz and between Machen and Ferdinand Lorenz could be considered in determining the good faith of the note for \$25,000 between Machen and George E. Lorenz.

Just before recess was taken Mr. Syme read a prayer in which the justice was requested to instruct the jury to acquit on the ground that the conspiracy, if it existed, was consummated in 1896, which placed it beyond the three-year limit of the statute of limitations, and that all acts subsequent to that time were but in fulfillment of the conspiracy entered into eight years before the return of the indictment.

Court then adjourned until 1:30 o'clock.

LINCOLN LEAGUE STILL

OPPOSES MR. ROOSEVELT

EVANSVILLE, Ind., Feb. 15.—At the meeting of the Indiana Lincoln League recently, a lively discussion followed the introduction of a resolution providing that a telegram be sent to President Roosevelt commending his administration and pledging to him the league's support in the national convention. The telegram was sent after being amended by striking out the pledge of support.

HUNDREDS OF SHOTS

AND NO ONE INJURED

ST. PAUL, Minn., Feb. 15.—A special from Sioux City, Iowa, says that three robbers, barricaded behind a pile of farm implements, stood off the citizens of Marlinton, Neb., while two other robbers set off ten explosions of dynamite in the State Bank.

About 200 shots were exchanged between the robbers and the citizens, but none was hurt on either side. The robbers escaped with little booty.

SAYS RUSSIA LACKS

FRIENDSHIP OF HUMANITY

BERLIN, Feb. 15.—The "Frankfurter Zeitung" says that a remarkable feature of the war in the Far East is the universal unfriendliness to Russia.

Both England and America openly rejoice at the defeat of Russia by the Japanese. The "Zeitung" also says that Austria and Italy are secretly delighted at the failure of the Russian arms, as they are anticipating the seizure of Russia's Balkan heritage.

Germany would, the paper states, be glad to supplant Russian influence at Constantinople, while France is so weakly Russianophile, that if England aided Japan in her war with Russia, France would cancel her treaty with the latter power rather than fight.

The result of the war will be, therefore, declares the paper, that Russia's power will be crippled for a decade.

WHAT MAY HAPPEN IF JAPAN WINS

Diplomatists Much Interested in the Question.

NEW DOMINATION OF ASIA

Would Bring the "Yellow Peril" to the Gates of Europe and Bring Other Problems.

If Japan should win, what then? To diplomatists and publicists in Washington this question has all at once become startlingly real in view of Japan's remarkable victories at the very beginning of war with Russia.

"Will all of Asia come under one domination, the Asian and Aryan, and not look to Japan as the next world power, but instead of speculating as to the claims of England, Germany, and Russia in the East?"

Of course, the result of the war is still beyond prediction, but Japan's chances of success never had a more vital meaning than at present.

Apply Monroe Doctrine.

Discussing this phase of the present conflict, a diplomatist acquainted with international affairs said:

"May we not expect Japan to apply the words of the Monroe Doctrine to the East should she be victorious? That the proclamation may be easily transposed by the substitution of the word Japan instead of the United States is shown in the following paragraph:

"With the existing colonies or dependencies of any European power we have not interfered and shall not interfere; but with the governments which have declared their independence and maintained it, and whose independence we have on great consideration and just principles acknowledged, we could not view an intervention for oppressing them or controlling in any other manner their destiny by any European power in any other light than as a manifestation of an unfriendly disposition toward Japan."

"It is China's future which is of course involved in Japan's recent victory at Port Arthur was the work of submarine vessels. It has been no secret that Japan has had under construction vessels thought to be of a type similar to the Holland boats of the United States Navy."

Inasmuch as they have been built upon secret plans, prepared by the Japanese government, and in its own yards, the most careful investigation by naval attaches of the different governments has failed to discover anything definite. Japan may have one or a dozen of these wonderful craft. This theory of the operation of submarine boats goes far to dispel the wonder in naval circles that torpedo boats could get almost under the Russian fleet without being discovered, and is causing high officials here to wonder what may follow their operations."

"The Yellow Peril."

"What is this 'Yellow Peril' you ask. Consider the fact that both the great Anglo-Saxon nations, America and Great Britain have adopted laws excluding the Chinese from their shores and then consider the possibilities if Japan were to make the people of that country their subjects and were to obtain equal rights to enter and settle Manchuria and to cross the 5,000 miles of Siberian frontier separating the East from Europe. The result without a doubt would be to turn Western civilization back upon the Ural Mountains and to threaten all Europe with the dread invasion of the Mongolian hordes. Think what a Japan governed China would be. A patient, persistent, frugal people numbering 250,000,000 would be ruled by a nation of 50,000,000 who, half-aliied to them, would understand their temperament and their habits."

"The Orient with his power of retaining health under conditions which no European could survive, with his in-born cunning and reckless daring, with only the superior knowledge of civilization to be the equal of the European in warfare as well as in industry, in this country we do not realize that in a Japanese dynasty such a civilization would exist."

WANTS NO FOREIGNERS

ABOARD ITS WARSHIPS

Japan has declined to permit American naval officers to accompany the Japanese fleet to Port Arthur. The State Department requested the Mikado's foreign office to grant this favor, but Japan replied that its naval officers prefer to have no foreigners aboard their warships.

ESCAPES IN A STORM

FROM PORT ARTHUR

After a delay of several days in Port Arthur, the American steamer Pielades escaped from the harbor in a storm, and is now at Chefoo. This is a steamer which was held in Port Arthur by the crews of the Russian warships, and was later denied permission to depart by Russian officials.

An appeal for assistance was made to the State Department by the Boston Steamship Company, the owner of the Pielades, but the vessel escaped before the State Department received any reply from Ambassador McCormick, at St. Petersburg, who was instructed to investigate the detention of the vessel.

NEW YORK SENTIMENT

FAVORS MR. ROOSEVELT

"A remarkable change of sentiment in favor of President Roosevelt is rapidly taking place in New York," said William D. Murphy, a member of the political reform committee of the Union League Club, and an old political co-worker of the President, at the White House this morning.

"The opposition which has been manifest in New York city in particular is giving way in a remarkable manner. It is another indication of those sudden changes of sentiment that are becoming so noticeable in the American people, and which have been shown in the case of Senator Hanna and William C. Whitney."

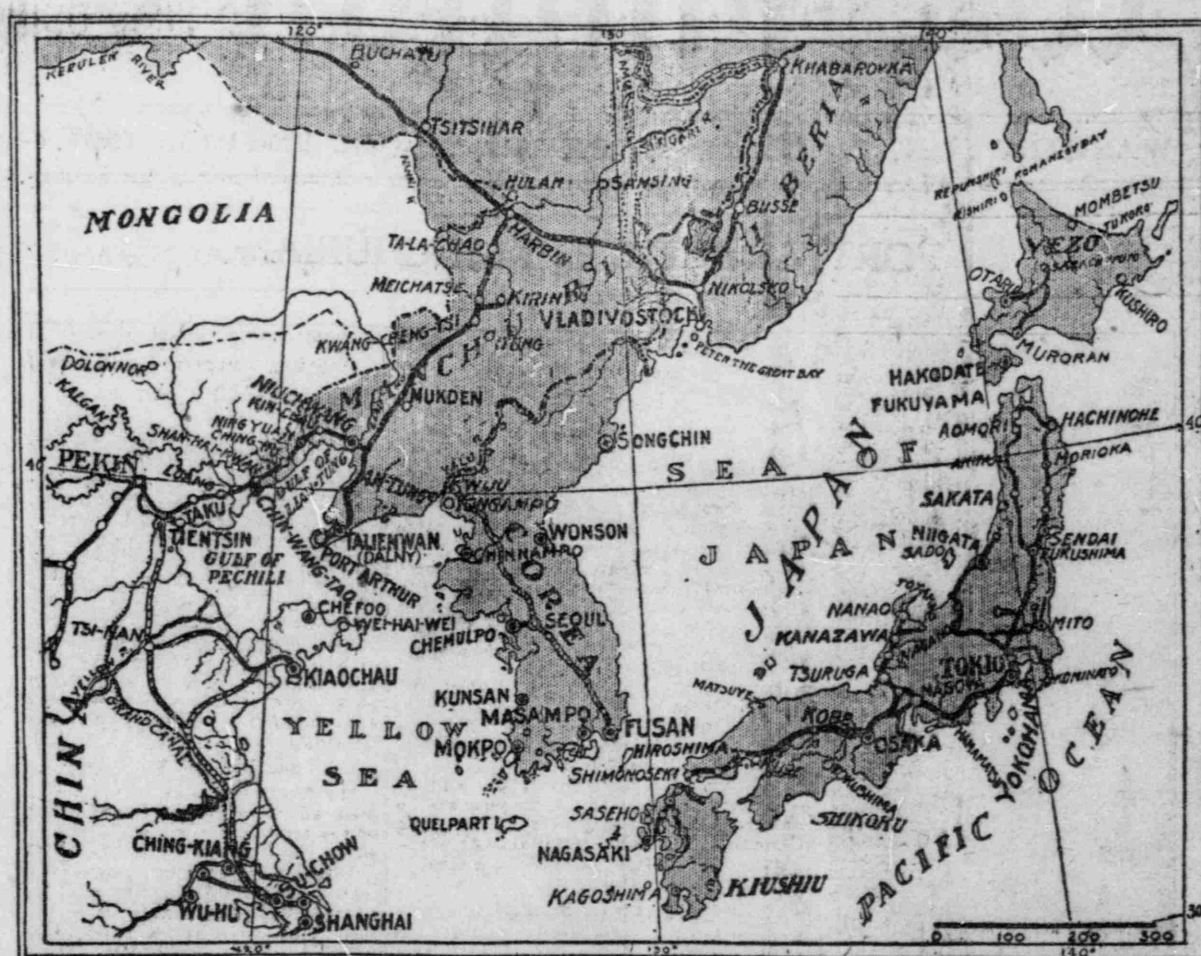
ORDERED TO THROW BAG

OF MONEY FROM BRIDGE

DES MOINES, Iowa, Feb. 15.—Isaac D. Adams has been threatened with the kidnapping of his two children, and with the burning of his house, unless he throws \$50,000 from the Walnut Street Bridge.

The letter named the time, place, and the police watching both ends of the bridge. The entire police department is at work on the case.

AREA OF THE "LOCALIZED" WAR DISTRICT



Shaded portion of map covers limit to which Secretary Hay hopes to confine hostilities.

SUBMARINE VESSELS USED AT PORT ARTHUR?

Mikado's Navy Said to Have Long Been Experimenting With Mysterious Craft.

The belief is strong among leading experts here that Japan's recent naval victory at Port Arthur was the work of submarine vessels. It has been no secret that Japan has had under construction vessels thought to be of a type similar to the Holland boats of the United States Navy.

Inasmuch as they have been built upon secret plans, prepared by the Japanese government, and in its own yards, the most careful investigation by naval attaches of the different governments has failed to discover anything definite. Japan may have one or a dozen of these wonderful craft. This theory of the operation of submarine boats goes far to dispel the wonder in naval circles that torpedo boats could get almost under the Russian fleet without being discovered, and is causing high officials here to wonder what may follow their operations."

BROOKLYN FINNS OFFER AID TO JAPANESE

At the Japanese legation today a letter was received from a society of Finns who met in Brooklyn, N. Y., Sunday, in which the writers offered to raise a large sum to be devoted to the Japanese Red Cross. They said their sympathies were all on the side of Japan in her conflict against Russia.

PRAYERS IN CONGRESS FOR HANNA'S RECOVERY

"We ask Thee to consecrate to us this day the house of death," prayed Chaplain Hale, when the Senate met at noon. "We ask Thee to consecrate to us the lessons of life, and in the midst of death may we know what life is. Come to us in our sorrow over an afflicted one, come to those who are close to him, who are not to see his face or hear his voice."

Nearly every Senator was in his seat. The chaplain labored under deep emotion, and President Pro Tem. Frye, a close personal friend of Mr. Hanna, was visibly affected.

Chaplain Couden's prayer, opening the House today, was as follows:

"O Thou who art supremely wise and good, life-giving and life-sustaining potentate in whom all our longings, hopes, and aspirations are centered, be to the statesman and patriot whose life now trembles in the balance."

"Spare him, we beseech thee, to his family, his friends, and his countrymen, that yet a little longer he may be able to give his counsel, and his efficient advice may be theirs and ours. Hear us, oh Lord, and answer us in accordance with thy wisdom and good pleasure."

COTTON MANUFACTURERS

FAVOR "OPEN DOOR"

Delegation Invites President to Address Coming Convention.

Strong approval of the Administration's "open door" policy in China and of the Panama Canal policy was expressed at the White House today by the members of a large delegation of the American Cotton Manufacturers' Association.

The delegation, which contained many Southern men, had an audience at noon with the President, Secretary Hay, and Secretary Cortelyou, and invited them to address the convention of the association in this city beginning on May 11.

The association has already presented a formal petition to Secretary Hay asking him to further the "open door" policy in China, and it has gone on record in favor of the canal.

RUSSIANS ARE PLACED

IN JAPANESE HOSPITAL

A cablegram received by the Japanese legation from Tokyo today states that the British consul at Chemulpo had applied to the Japanese consul with reference to the care of thirty-four wounded Russians, who received injuries in the naval engagement off that port. The Japanese consul promptly promised to be to the care of the wounded Russians, who received injuries in the naval engagement off that port.

CONTRACT VESSELS SEIZED BY JAPAN

One British and Five Norwegian Ships Taken as War Prizes in Far East.

LONDON, Feb. 15.—"Lloyds Shipping Index" has received a cable dispatch from Nagasaki stating that the British steamer Hermes, together with her cargo, has arrived there, having been captured by the Japanese. The vessel is a China sea trader.

It is reported that the Japanese have captured the Norwegian vessels Active, Lena, Sente, Sotrad, and Argo, all of which were chartered by a Russian naval contractor.

The Russian steamer Manchuria, which is being repaired at Nagasaki, will be arrested on February 16, as she will not be able to complete her repairs by that date, which is the limit of the time fixed for the departure of all Japanese and Russian vessels from the ports of the belligerents.

GRIM FIGHT IS NEARLY ENDED

(Continued from First Page.)

sponses to the doctor's questions as to his condition. In the corridors of the Arlington, where sympathetic watchers were grouped, it was recalled that just one month ago today Senator Hanna flushed with victory in his re-election to the Senate, returned to Washington.

A Slight Improvement.

At 6:10 o'clock Mr. McCormick came from the sick room to say that Senator Hanna had responded slightly to the subcutaneous injection of eight ounces of sea water, and that the doctor was gradually gaining hope, but that the physicians held out no hope.

Senator Scott of West Virginia called shortly after 6 o'clock, among many other distinguished callers. To all the same answer was given by Mr. Dover: "The end is still breathing; that is all that can be said."

The attack about 3 o'clock, which indicated a fatal ending to Mr. Hanna's long struggle, was described by his attendants as a momentary losing of breath. There was a stifled gasp, a violent strain and a marked collapse.

At 7:25 a. m. Senator Scott, after a brief talk with the physicians, said to the reporters:

"Dr. Osler tells me that Mr. Hanna's pulse is more perceptible, and his heart action stronger than between 3 and 4 o'clock, but the doctor gives no hope. The end is inevitable."

DANGER OF MR. HANNA

SOLE TOPIC AT CAPITOL

Only Perfunctory Business Was Transacted and Gloom Hung Over Both Halls of Congress.

Anxiety over the condition of Senator Hanna superseded all other matters at the Capitol today. The chaplain of both the Senate and House prayed this morning for the recovery of the distinguished patient might be spared, and their supplications to the Almighty found response in the thoughts of members on both sides of the chambers.

The one inquiry which was upon the lips of everyone today was "How is Senator Hanna?" His condition was the one topic of conversation among all members, Democrats and Republicans alike.

The bulletins as they came to the house were eagerly read, and each told that the end was fast approaching. Members read them and turned away with a sigh of regret.

The manner in which Senator Hanna rallied yesterday after his sinking spell, was the subject of much comment as showing his remarkable vitality and strong constitution. The wonder was expressed that he had held on to life so long in view of the firm hold which disease has upon him.

JAPANESE SUCCESS ADMITTED BY RUSSIA

Dispatch From Alexieff's Chief of Staff Tells of Landing at Chemulpo.

ST. PETERSBURG, Feb. 15.—A telegram received from Major General Plig, chief of staff to Admiral Alexieff, says:

"According to private advices, the Japanese, after the battle of Chemulpo, landed 15,000 troops."

"Communication by wireless telegraph between Chemulpo and Chefoo has been established by ships stationed at those points."

"All is quiet at Port Arthur. There is no news of the enemy's fleet. Messages from Tatungkan do not contain the reports of the appearance of Japanese ironclads there. Lights are seen at night seaward from Inham and also near the northern station. They are suspected to be from the enemy's coast."

"Mobilization is being successfully carried out."

HOME FOR VOLUNTEERS IN OLD SCHUTZEN PARK

Bill Introduced Authorizing Secretary of War to Buy Some of the Lots.

Representative Bishop of Michigan today introduced a bill to empower the Secretary of War to purchase certain lots in Schutzen Park subdivision to be used as a temporary home for ex-volunteer soldiers. The home is to be under the control of the board of managers of the society incorporated October 26, 1898.

Sixty thousand dollars is appropriated to pay for the land. The home is to accommodate not less than 100 men.

DEATH OF MRS. KELSEY.

Mrs. Mabel J. Kelsey, widow of the late Sherman S. Kelsey, died Saturday. Her daughter, with her husband, Dr. H. V. Presbach, will be here from Kansas for the funeral tomorrow at 3 o'clock.

DIED.

COOK—EDGAR, the son of Fred and Clara Cook, aged four months and twenty-seven days. Dearest Edgar, thou hast left us. We miss thee deeply. Rest in peace. He leaves all our sorrow to his mother.

BRELSFORD—On Sunday, February 14, at 9:45 a. m., at her residence, 315 New Jersey Avenue, northwest, MARY J. BRELSFORD, widow of the late William H. Brelsford, and beloved mother of Charles S. Brelsford, in her sixty-second year. Funeral from her late home, Tuesday, February 16, 1904, at 2 p. m. Friends and relatives of family are invited to attend. It

DEATH RECORD.

The following deaths have been reported to the Health Office for the forty-eight hours ended at noon today:

Balcy, Rachel, 19, 1740 E St. N. W.
Berry, Lulu Genevieve, 20, 88 C St. S. W.
Crosby, Mary, 78, 418 N St. N. W.
Curtis, John, 80, 1139 21st St.
Eckert, Helen Stefan, 29, Sibley Hospital.
English, Adrienne, 4 days, 229 1/2 St. S. E.
Fincham, Agnes, 36, 1312 14th St. S. W.
Green, Viander, 73, Bowen Road, D. C.
Green, Eugene, 40, 1127 11th St. N. W.
Harris, Sarah Jane, 47, 2214 9th St. N. W.
Hartman, Howard Samuel, 23, 1126 6th St. N. W.
Leonard, John, 78, 1315 13th St. N. W.
Lottrop, Fred N., 34, R. R. Tunnel, D. C.
Peyton, Thornton, 60, 2702 Kings Court.
Reed, Oliver, 65, 2215 St. N. W.
Reid, Naima M., 71, 2202 Decatur Place.
Kearney, James P., 30, 443 H St. N. W.
Serion, Philip, 74, U. S. Soldiers' Home.
Stoddard, Leonard, 60, 1127 11th St. N. W.
Tyler, Mary F., 35, 610 3d St. S. W.
Wheeler, Margaret, 76, 1315 13th St. N. W.
Whiting, Sarah Evelyn, 65, 1909 G St. N. W.

JUSTICE AMONG CREEKS.

Before tribal relations were interfered with by the United States Congress, in the Creek Nation there were six court districts. They were Coweta, Wewoka, Eufaula, Muskogee, Okmulgee, and Deep Fork. Each district had an Indian Judge, a prosecuting attorney, and four trial justices. All indictments were returned by the prosecuting attorney, who made the complaints. There were no juries. The judge passed upon the guilt or innocence of the accused. The punishment for minor offenses was one lash on the bare back. For murder it was death. For a repetition of minor offenses the death sentence was imposed. When an Indian was sentenced to death he was at liberty until the day for the execution, when he returned to his own accord. A slave could be sold as never known to break this rule, as it brought disgrace upon his family as well as upon himself. When they commenced to internment with the whites, however, the half-breeds would make their escape if possible. There were no jails.—Kansas City (Mo.) Journal.

ENGLAND READY TO TAKE A HAND

Denmark Warned Against Russian Aggression.

RESERVES MAY BE CALLED

British Regiments May Be Sent to Canada to Be Nearer Scene of War.

COPENHAGEN, Denmark, Feb. 15.—The British government has inquired if the Danish government is prepared to defend Denmark's neutrality, especially the important sea routes. Denmark replied in effect:

"We will defend ourselves." The construction placed on this inquiry here is that Great Britain appreciates the danger of Russia occupying Danish fortresses in the event of complications between Great Britain and Russia over the Far Eastern question.

In consequence of the possibility of such an outcome the Danish war department has ordered the army reserves to be ready for mobilization throughout Denmark within twelve hours. All the regimental offices are open day and night.

HALIFAX, N. S., Feb. 15.—The British government is making inquiries concerning facilities for quartering in Canada seven regiments of troops in addition to those already here, during the war in the East. It is proposed to send two regiments to this city, two to Esquimaux, and one each to Quebec, Montreal and Toronto.

It is understood in military circles here that the government wishes to station troops at those points in order to have them nearer the scene of hostilities between Japan and Russia in case complications involving the British Empire should develop. While the government has forces in India, it is said that it would not move them because of the danger that soldiers of Afghanistan or Tibet would quickly cross the Indian frontier and become a serious menace.

JAPAN'S NEW CRUISERS PURSUED BY ENEMY

Kasaga and Nishin, However, Are Having a Little Hunt of Their Own.

ROME, Feb. 15.—Russian warships are pursuing the Kasaga and Nishin, the Japanese cruisers which sailed some time ago from Genoa for the Far East. It is said that a Japanese division has sailed to meet them.

SINGAPORE, Feb. 15.—When the Japanese cruisers Kasaga and Nishin left here they went south to the Dutch Archipelago, where they had been instructed to meet at a rendezvous where the steamer Nishin was to be met. The Kasaga line, and to take from that vessel 1,200 men and a full complement of naval officers. The mixed crew of the Kasaga and Nishin, who brought the vessels from Genoa, were to be placed on the Nippon Yusen. These orders were carried out, and the cruisers are now searching for vessels of the Russian volunteer fleet near here.

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